

## **MINUTES**

### **MONTANA SENATE 65th LEGISLATURE - REGULAR SESSION**

#### **COMMITTEE ON BUSINESS, LABOR, AND ECONOMIC AFFAIRS**

**Call to Order:** Chair Edward Buttrey, on February 1, 2017 at 8:00 AM, in Room 422  
Capitol

#### **ROLL CALL**

**Members Present:**

Sen. Edward Buttrey, Chair (R)  
Sen. Dee Brown, Vice Chair (R)  
Sen. Pat Connell (R)  
Sen. Tom Facey (D)  
Sen. Steve Fitzpatrick (R)  
Sen. Daniel R. Salomon (R)  
Sen. Jason D. Small (R)  
Sen. Frank Smith (D)  
Sen. Gordon Vance (R)  
Sen. Gene Vuckovich (D)

**Members Excused:** None

**Members Absent:** None

**Staff Present:** Linda Keim, Committee Secretary  
Jameson Walker, Legislative Branch

**Audio Committees:** These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

**Committee Business Summary:**

Hearing & Date Posted: SB 108, 1/17/2017; SB 120, 1/17/2017

Executive Action: Do Concur As Amended: HB 26, HB 125, HB 138, HB 141; Do  
Pass as Amended: SB 116, SB 58; Do Pass: SB 128

00:00:01 Chair Buttrey

**HEARING ON SB 108**

**Opening Statement by Sponsor:**

00:02:05 Sen. Gordon Vance (R), SD 34, opened the hearing on SB 108. Prohibit enforcement of a right of first refusal in auto franchise contracts.

**Proponents' Testimony:**

00:03:37 Bruce Knudsen, executive vice president, Montana Auto Dealers Association

00:06:51 Don Kaltschmidt, owner, Don "K" Chevrolet, Subaru, Chrysler in Whitefish; board member, National Automobile Dealers Association (NADA)

00:12:28 Bill Underriner, owner, Underriner Motors, Billings

00:19:45 Jim Sewell, private practice attorney, Montana Automobile Dealers Association

**[EXHIBIT\(bus23a01\)](#)**

**Opponents' Testimony:**

00:29:35 Leighton Yates, Auto Alliance (AA)

00:34:20 Mona Jamison, General Motors (GM)

**[EXHIBIT\(bus23a02\)](#)**

00:38:29 Jeff Perry, director, State Government Relations and Public Policy, General Motors, Detroit (GM)

00:49:49 Ross Good, Fiat-Chrysler Automobiles

**Informational Testimony:** None

**Questions from Committee Members and Responses:**

00:51:06 Sen. Facey

00:58:33 Mr. Perry, GM

00:59:33 Chair Buttrey

00:59:53 Mr. Perry

01:00:14 Sen. Facey

01:00:38 Ms. Jamison, GM

01:02:03 Sen. Salomon

01:02:50 Mr. Kaltschmidt, NADA

01:04:50 Sen. Salomon

01:09:01 Mr. Perry

01:09:40 Sen. Smith

01:10:53 Mr. Perry

01:12:39 Sen. Brown

01:16:24 Mr. Perry

01:16:45 Sen. Fitzpatrick

01:17:09 Mr. Knudsen

01:18:27 Sen. Fitzpatrick

01:19:31 Mr. Perry

01:20:22 Sen. Facey  
01:21:33 Mr. Yates, AA

**Closing by Sponsor:**

01:22:32 Sen. Vance  
01:24:14 Chair Buttrey  
01:24:32 Recess  
01:30:37 Reconvened

**HEARING ON SB 120**

**Opening Statement by Sponsor:**

01:30:47 Sen. Nels Swandal (R), SD 30, opened the hearing on SB 120. Generally revise practice of dental hygiene laws.

**Proponents' Testimony:**

01:35:24 Patti Conroy, registered dental hygienist, Billings, Montana Dental Hygienists' Association

**EXHIBIT(bus23a03)**

01:39:37 Melissa Pyette, registered dental hygienist, Montana Dental Hygienists' Association (MDHA)  
01:44:33 Diedri Durocher, registered dental hygienist, Great Falls; Montana Dental Hygienists' Association (MDHA)  
01:51:03 Clancy Casey, registered dental hygienist; read Terry Barnhart's testimony into the record  
01:53:16 Margaret Morgan, Montana Dental Hygienists' Association  
01:54:41 Stacey Anderson, Montana Primary Care Association  
01:56:35 Duane Preshinger, Department of Public Health and Human Services (DPHHS)

**Opponents' Testimony:**

01:57:36 Dr. Jane Gillette, president, Montana Dental Association (MDA)

**EXHIBIT(bus23a04)**

02:02:48 David Hemion, executive director, Montana Dental Association (MDA)

**Informational Testimony:** None

**Questions from Committee Members and Responses:**

02:03:59 Sen. Brown  
02:05:04 Ms. Gillette, MDA  
02:05:21 Sen. Brown  
02:06:38 Ms. Pyette, MDHA

02:06:53 Sen. Brown  
 02:09:35 Ms. Durocher, MDHA  
 02:10:00 Sen. Facey  
 02:13:56 Ms. Durocher  
 02:14:02 Sen. Facey  
 02:14:45 Mr. Hemion, MDA  
 02:15:48 Sen. Facey  
 02:16:30 Ms. Gillette  
 02:17:57 Sen. Fitzpatrick  
 02:18:23 Ms. Gillette  
 02:19:04 Sen. Fitzpatrick  
 02:19:16 Ms. Durocher  
 02:20:11 Sen. Fitzpatrick  
 02:21:49 Ms. Gillette  
 02:22:48 Chair Buttrey  
 02:24:36 Ms. Gillette

**Closing by Sponsor:**

02:24:52 Sen. Swandal  
 02:27:20 Chair Buttrey  
 02:28:08 Brief Recess  
 02:48:34 Reconvene

**EXECUTIVE ACTION ON HB 26**

02:48:39 **Motion:** Sen. D. Brown moved that **HB 26 BE CONCURRED IN.**

**Discussion:**

02:48:56 Chair Buttrey  
 02:48:59 Jameson Walker, Legislative Services Division (LSD)

02:49:05 **Motion:** Sen. Facey moved that **HB 26 BE AMENDED.**  
**EXHIBIT(bus23a05)**

**Discussion:**

02:49:24 Sen. Facey  
 02:49:42 Chair Buttrey  
 02:49:55 Sen. Connell

02:50:18 **Vote:** Motion carried unanimously by voice vote.

02:50:26 **Motion:** Sen. D. Brown moved that **HB 26 BE CONCURRED IN AS AMENDED.**

**Discussion:**

02:50:35 Sen. Connell  
02:51:24 Sen. Facey  
02:52:18 Sen. Brown

02:53:06 **Vote:** Motion carried 7-3 by roll call vote with Sen. Brown, Sen. Buttrey and Sen. Vance voting no. Sen. Facey will carry the bill.

**EXECUTIVE ACTION ON HB 125**

02:54:19 **Motion:** Sen. D. Brown moved that **HB 125 BE CONCURRED IN.**

**Discussion:**

02:54:25 Sen Brown  
[EXHIBIT](#)(bus23a06)

02:55:42 **Motion/Vote:** Sen. D. Brown moved that **HB 125 BE AMENDED.** Motion carried unanimously by voice vote.

02:55:48 **Motion/Vote:** Sen. D. Brown moved that **HB 125 BE CONCURRED IN AS AMENDED.** Motion carried unanimously by voice vote. Sen. Buttrey will carry the bill.

**EXECUTIVE ACTION ON HB 138**

02:56:13 **Motion:** Sen. D. Brown moved that **HB 138 BE CONCURRED IN.**

**Discussion:**

02:56:29 Chair Buttrey

02:54:57 **Motion/Vote:** Chair Buttrey moved that **HB 138 BE AMENDED.** Motion carried unanimously by voice vote.

[EXHIBIT](#)(bus23a07)

02:57:32 **Motion/Vote:** Sen. D. Brown moved that **HB 138 BE CONCURRED IN AS AMENDED.** Motion carried unanimously by voice vote. Sen. Salomon will carry the bill.

**EXECUTIVE ACTION ON HB 141**

02:58:00 **Motion:** Sen. D. Brown moved that **HB 141 BE CONCURRED IN.**

02:58:42 **Motion:** Sen. Fitzpatrick moved that **HB 141 BE AMENDED.**

[EXHIBIT](#)(bus23a08)

**Discussion:**

02:59:00 Sen. Fitzpatrick  
02:59:37 Sen. Brown

02:59:57 **Vote:** Motion carried unanimously by voice vote.

03:00:09 **Motion:** Sen. D. Brown moved that **HB 141 BE CONCURRED IN AS AMENDED.**

**Discussion:**

03:00:18 Sen. Brown  
03:00:21 Sen. Facey

03:02:30 **Vote:** Motion carried 6-4 by roll call vote with Sen. Brown, Sen. Buttrey, Sen. Salomon and Sen. Vance voting no. Sen. Facey will carry the bill.

**EXECUTIVE ACTION ON SB 116**

03:04:00 **Motion:** Sen. D. Brown moved that **SB 116 DO PASS.**

**Discussion:**

03:04:44 Chair Buttrey

03:04:59 **Motion:** Sen. D. Brown moved that **SB 116 BE AMENDED.**  
[\*\*EXHIBIT\(bus23a09\)\*\*](#)

**Discussion:**

03:05:22 Jameson Walker, Legislative Services Division (LSD)  
03:07:05 Sen. Connell  
03:07:13 Mr. Walker, LSD  
03:08:01 Sen. Facey

03:08:33 **Substitute Motion/Vote:** Sen. Facey made a substitute motion that **SB 116 BE TABLED.** Substitute Motion failed 3-7 by roll call vote with Sen. Facey, Sen. Small and Sen. Vuckovich voting aye.

**Discussion:**

03:09:56 Sen. Brown  
03:10:13 Mr. Wallker  
03:10:17 Chair Buttrey

03:10:37 **Vote:** Motion carried 9-1 by voice vote with Sen. Facey voting no.

03:10:55 **Motion/Vote:** Sen. D. Brown moved that **SB 116 DO PASS AS AMENDED**.  
Motion carried 8-2 by roll call vote with Sen. Facey and Sen. Vuckovich voting no.

**EXECUTIVE ACTION ON SB 128**

03:12:00 **Motion:** Sen. D. Brown moved that **SB 128 DO PASS**.

**Discussion:**

03:12:13 Sen. Salomon

03:12:52 Sen. Brown

03:13:27 **Vote:** Motion carried unanimously by voice vote.

**EXECUTIVE ACTION ON SB 58**

03:13:42 **Motion:** Sen. Vance moved that **SB 58 BE REMOVED FROM TABLE**.

**Discussion:**

03:14:43 Chair Buttrey

03:15:05 Mr. Walker

03:15:15 Chair Buttrey

03:15:18 **Vote:** Motion carried 8-2 by roll call vote with Sen. Buttrey and Sen. Fitzpatrick voting no.

03:16:19 **Motion:** Sen. Vance moved that **SB 58 DO PASS**.

**Discussion:**

03:16:31 Chair Buttrey

03:16:35 Sen. Facey

03:16:56 **Motion:** Sen. Buttrey moved that **SB 58 BE AMENDED**.

[EXHIBIT](#)(bus23a10)

**Discussion:**

03:17:58 Sen. Facey

03:18:40 **Vote:** Motion carried unanimously by voice vote.

03:18:51 **Motion:** Sen. Vance moved that **SB 58 DO PASS AS AMENDED**.

**Discussion:**

03:19:15 Sen. Vance

03:19:48 Chair Buttrey

SENATE COMMITTEE ON BUSINESS, LABOR, AND ECONOMIC AFFAIRS

February 1, 2017

PAGE 8 of 9

03:21:09 Sen. Vance

03:21:34 **Vote:** Motion carried 9-1 by voice vote with Sen. Fitzpatrick voting no.

03:22:15 Chair Buttrey

**ADJOURNMENT**

Adjournment: 11:50 AM

---

Linda Keim, Secretary

lk

Additional Documents:

**EXHIBIT**([bus23aad.pdf](#))